



# Policy for Working with Child of Separated/Divorced Parents

The therapists at Encompass Mental Health adhere to this policy when providing counseling to a child of separated or divorced parents.

## Therapist's Beliefs

- The best treatment for children is for the child to be viewed within the context of their family and to involve all active and engaged caregivers to create the most significant change.
- Even though the parents have decided that separating is the right choice for them, the child does not share this view. All children will benefit from an ongoing relationship with both parents, unless serious parental deficits and/or abuse and/or neglect are occurring which could significantly impact the health (physical and mental) and safety of the child.
- A child in counseling will experience the best outcomes if he or she believes that the therapist can be trusted to explore thoughts, feelings and opinions. If the expectation is that the therapist reveal the content of the session to the parent(s), the child may shut down and may experience limited benefits from the counseling process as a result.
- The goal of the therapist is to help the child to cope with the challenges that their parents' separation or divorce has caused them and to develop skills to overcome those challenges. It is also the goal of the therapist to help the parents and family in any way that is appropriate to help the child to achieve these skills. **It is not the goal of the therapist to pick sides or identify one parent as the right or best parent. It is also not the goal of the therapist to lecture one parent into complying with the demands of the other parent.** This approach is counterproductive and not helpful to the child. If parental disagreements dominate sessions, a referral for co-parenting therapy or other services may be provided.
- The involvement of court hearings and proceedings is counterproductive to the goals of the counseling relationship. The therapist hopes that parents involved in their child's counseling will take a step back from court proceedings regarding custody and recommendations for the child until the counseling experience has been completed. This does not include court proceedings related to child abuse and/or neglect.

## Policy for Working with Children of Divorced/Separated Parents

*Legal/Custody*

- In some circumstances, the therapist may require a copy of court documentation indicating custody arrangements, allowances or restrictions for contact between parent and minor child, court orders for counseling or any other legal documentation related to the medical care of the child before any counseling will take place.
- The therapist will try to include both parents in the counseling process except for in cases when it is expected that doing so would cause serious detriment to the child or the therapist is legally prohibited from doing so.
- If one parent with legal custody denies consent for the therapist to work with the child in counseling, the therapist will be unable to proceed with counseling for that child.

### *Confidentiality*

- Parents should understand that **ALL** verbal and written communication (face-to-face, phone call, email, written communication, or any other documentation provided to the therapist) is allowed to be shared with the other parent and with the child if the therapist deems it necessary. Any written communication will become part of the child's clinical file as record of communication.
  - The therapist will use their discretion to determine if information shared by one parent needs to be shared with the other parent to maintain ethical practice that respects the therapeutic relationship, or if information shared by one parent can remain confidential and part of the therapeutic process. If you have questions about this process, please ask your child's therapist
- The law indicates that parents have the right to access records of their child's treatment, however, parents should understand the difference between mental health records and medical records and the sensitive information contained within them. Mental health professionals have the right to refuse release of these records to parents or any other entity if they believe that doing so would cause harm to the child. In cases of separation and/or divorce, this is almost always the case as information shared within these records can never be un-read by the parents and can negatively impact the parent-child relationship going forward. Therefore, the therapist will not release the mental health record of the child to the parent when it is not in the child's best interests to do so, unless required by law. The therapist urges the parents to respect this policy as it is in place to protect the well-being of the child as well as the quality of the parent-child relationship.
- The therapist welcomes the involvement of extended family and/or step-family as necessary and appropriate for the course of treatment. However, in order for the therapist to communicate with other family members besides the legal guardians, all legal guardians must sign releases of information allowing that communication. Communication with extended family and/or step-family will not be allowed unless both parents consent to that communication. Depending upon the age of the child, the child's consent may also be required. This policy also extends to any communication the therapist may have with outside entities as well, such as schools, doctors, etc.

### *Communication*

- The therapist will not be responsible for routine communication outside of the session with any parent who chooses not to attend the appointments. The therapist will not contact the non-attending parent via phone or email after each session, unless the therapist determines that it is therapeutically necessary. It is simply not realistic to expect that the therapist will provide a summary letter, email or phone call to parents who choose not to attend sessions. If this is something that is required of your situation, then payment arrangements must be made in advance to account for this time. Health insurance will not cover email, letter or phone conversations. The expectation is that parents will communicate with each other regarding the child's treatment and recommendations. In most cases, for the therapist to arrange for additional communication outside of the session would only be encouraging an unhealthy co-parenting relationship.
- The therapist reserves the right to refuse any phone calls, voice mails, emails or other communications directed at pitting the therapist against the other parent. If these communications are received, the therapist reserves the right to notify the other parent.
- It is the therapist's duty to understand the history of the child and their family and what has contributed to the reason for counseling. This should not be misconstrued to mean that the therapist should be required to read or listen to any information that the parent(s) deem appropriate to share. The therapist reserves the right to dictate what information is appropriate and inappropriate for the counseling relationship and to refuse to accept information that isn't appropriate for the counseling relationship. Unless required by law, the therapist also reserves the right to ignore and/or not respond to any communication that is not appropriate for the counseling relationship.

### *Financial*

- The parent who initially sets up counseling for the child is considered the guarantor. This means that this parent is considered financially responsible for covering the cost of services and communicating cost and reimbursement with the other parent.
  - **It is the responsibility of the parents to provide the appropriate payments to Encompass Mental Health, not the responsibility Encompass Mental Health to provide billing according to court ordered co-parenting financial agreements.** It is not feasible to expect that separate, divided bills be sent to each parent according to their agreed-upon percentage rates.
  - When requested, the therapist will provide receipt of payment to the parent(s) for their payments. It is the parents' responsibility to work together to share receipts, not the therapist's responsibility to update parents on what the other has and has not paid.

### *Scheduling*

- The therapist expects parents to communicate regarding scheduled appointments. **The therapist will not be responsible for scheduling sessions according to non-custodial**

**parent's visit schedule. It is not feasible to expect the therapist to remember the visit schedule and any changes to that schedule for each and every one of the children on their caseload.** The therapist expects that the parent scheduling the session will show respect to the needs of the child to spend time with both parents and will refrain from specifically scheduling appointments as a way to take time away from the other parent. If the attending parent is unable to schedule the next appointment, it is their responsibility to communicate this to the other parent. The therapist will not follow-up with the non-attending parent to schedule.

### *Legal Proceedings*

- In some cases, one or both parents may decide to take legal action regarding custody of the child. Therapy and legal testimony are very different services and the therapist's goal first and foremost is to create a supportive, safe relationship with the child for the purpose of achieving therapy goals. **The therapist will not provide a recommendation regarding custody of the child when acting as the therapist for the child and family.** The therapist will communicate with legal professionals as required by law, but all professionals and parents should know that the therapist's responsibility is for confidentiality and protection of the counseling relationship, not to assist one parent in "winning" their case.
- The therapist cannot speak to one parent's attorney without the written consent of the other parent. In most cases, this is not a productive idea and the therapist recommends that there not be any communication between the therapist and attorney(s). When required by law, the therapist will communicate with legal professionals.

### *Referrals*

- At times, it may become evident that counseling for the child is not productive (and in some cases, harmful) because of relationship challenges present between the child's parents. If the therapist believes that continuing counseling with the child is harmful, or if no progress is being made, the therapist may recommend that counseling with the child be discontinued and recommend that the parents participate in services aimed at helping them to co-parent more effectively and to create a healthier environment for the child.

By signing below, you agree to the following:

- I have read the statements above and agree to comply with the policies listed in this document.
- I understand that if I break any of the rules listed in this document I may be asked to discontinue the counseling relationship.

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Child's Name

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Parent/Guardian Signature

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Parent/Guardian Signature

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Date

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Date